

FACSIMILE TRANSMITTAL**BOZICEVIC, FIELD & FRANCIS LLP**

285 Hamilton Avenue, Suite 200

Palo Alto CA 94301

Telephone: (650) 327-3400

Facsimile Number: (650) 327-3231

Date: December 22, 1999

To: Betty Robinson
United States Patent and Trademark Office

Facsimile No. 703/305-9822

From: Dianna L. DeVore

Re: Our Reference No. OLIG-010CON
Serial No. 09/211,794
Filing Date: December 15, 1998
Title: Three Component Chimeric Antisense Oligonucleotides

Message: As requested, attached please find a copy of the Response to Missing Parts as sent via Express Mail on December 13, 1999 to the USPTO including the Transmittal Letter; Fee Transmittal, Executed Declaration and Power of Attorney, Small Entity Statement; Copy of Return Receipt Postcard and Copy of Express Mail Label.

Total number of pages, including this cover sheet: **11**

WARNING: This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, copying, review or use of the above message or the accompanying documents is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile, and mail the original to us at the above address. Thank you.

Please contact **Kimberly Zuehlke** at (650) 833-7704 if you have any problems receiving this transmission.

Atty: DLD:kz Express Mail Label No. EL 284 101 633 US
File No. OLIG-010CON Date Mailed: December 13, 1999
Application No: 09/211,794 Date Filed: December 15, 1998
Client: OEI Inventor(s): Amy Arrow et al.
Title: Three Component Chimeric Antisense Oligonucleotides

Enclosures:

☒ Transmittal Letter (1 page)
☒ Fee Transmittal (1 page)
☒ Copy of the Notice to File Missing Parts
☒ Copy of Transmittal faxed 10/21/99
☒ Combined Declaration and Power of Attorney (4 pages)
☒ Check in the amount of \$890.00

Acknowledge Receipt of
enclosures
By imprinting PTO Date Stamp
and Returning to addressee

EL284101633US



BOZICEVIC, FIELD & FRANCIS, LLP
285 HAMILTON AVENUE, SUITE 200
PALO ALTO, CA. 94301

EXPRESS MAIL CERTIFICATE			
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231			
Typed or Printed Name	Dave Gilsson	Express Mail No.	EL284101633US
Signature	<i>Dave Gilsson</i>	Date	December 13, 1999

RESPONSE TO MISSING PARTS Address to: Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	OLIG-010CON
	First Named Inventor	Amy Arrow et al.
	Application Number	09/211,794
	Filing Date	December 15, 1998
	Group Art Unit	1635
	Examiner Name	B. Robinson
	Title	Three Component Chimeric Antisense Oligonucleotides

Sir:

In response to the Notice to File Missing Parts dated January 21, 1999, transmitted herewith for filing are the following documents:

1. a copy of the Notice to File Missing Parts;
2. a copy of a Transmittal Letter sent via facsimile to Carol Barnes of the USPTO on October 21, 1999 (copies of transmittal letter not attached);
3. a Combined Declaration and Power of Attorney signed by the inventors;
4. a Fee Transmittal; and
5. a check in the amount of \$890.00 (surcharge, \$130; statutory basic filing fee, \$760) to cover the fees required.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 12/13/99

By: *Dianna L DeVore*
Dianna L. DeVore
Registration No. 42,484

BOZICEVIC, FIELD & FRANCIS LLP
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Palo Alto, California 94301
Telephone: (650) 327-3400
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FILED DOCUMENT OLIG-010CON missing parts - trans wpd

DOCKETED *jme*

FEE TRANSMITTAL

Note: Effective October 1, 1998
 Patent fees are subject to annual revision

Attorney Docket Number	22G-010CON
First Named Inventor	Andy Arrow et al
Application Number	09-211,794
Filing Date	December 15, 1998
Group Art Unit	1635
Examiner Name	B. Robinson

METHOD OF PAYMENT

1. ☒ A CHECK IS ENCLOSED
2. ☒ The Commissioner is hereby authorized to charge any additional fees including fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to:
 Deposit Account No. 50-0815.
 Deposit Account Name: Bozicevic, Field & Francis LLP

FEE CALCULATION**1. FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
101	760	201	380	Utility filing fee	\$760
102	310	206	155	Design filing fee	
104	480	207	240	Plant filing fee	
109	760	208	380	Reissue filing fee	
110	150	214	75	Provisional filing fee	
Subtotal (1)					\$760

2. CLAIMS

No. of claims as filed or after amendment	Most claims previously paid	Extra claims	Fee from below	Fee Due
Total claims 19	20	0	x	\$0
Ind. claims 3	3	0	x	0
Multiple Dependent claims		0	x	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent
Subtotal (2) 0.00				

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
105	130	205	65	Surcharge - late filing fee or oath	130
139	130	139	130	Non-English specification	147
115	110	215	55	Ext. for reply within first month	116
117	870	217	435	Ext. for reply within third month	118
128	1,850	228	925	Ext. for reply within fifth month	119
120	300	220	150	Filing brief in support of appeal	121
140	110	240	55	Petition to revive - unavoidable	141
142	1,210	242	605	Utility issue fee (or reissue)	122
123	50	123	50	Petitions related to prov. appl.	126
146	760	246	380	Filing submission after final rejection (37 CFR 1.129(a))	149
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113
143	430	243	215	Design issue fee	144
581	40	581	40	Recording patent assignment	Other fee (specify)
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) 130.					

TOTAL AMOUNT ENCLOSED (\$) 890.00**SUBMITTED BY**

Typed or Printed Name	Dianna L. DeVore, BOZICEVIC, FIELD & FRANCIS LLP	Reg. Number	42,484
Signature	<i>Dianna L. DeVore</i>	Date	12/13/99
		Deposit Account	50-0815



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED REPRESENTATIVE	ATTORNEY DOCKET NO./TITLE
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0204003 12-10-99 APPRO

6 800-016

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NOT ASSIGNED

FELTON AND EDMOND

1155 AVENUE OF THE AMERICANS

NEW YORK, NY 10036-0111

1605

DATE MAILED:

01-21-99

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130.

☐ 1. The statutory basic filing fee is:

☐ missing.

☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$_____, including any multiple dependent claim fees, are required.

\$_____ for _____ independent claims over 3.

\$_____ for _____ dependent claims over 20.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

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COPY

CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted via facsimile to the Assistant Commissioner for Patents, Washington, D.C. 20231 on this date <u>October 21, 1999</u>			
Typed or Printed Name	Kimberly W. Zuehlke		
Signature	<i>Kimberly W. Zuehlke</i>	Date	October 21, 1999

TRANSMITTAL	Attorney Docket	OLIG-0010CON
	First Named Inventor	Amy Arrow et al.
	Application Number	09/211,794
	Filing Date	December 15, 1998
	Group Art Unit	1635
	Examiner Name	To Be Assigned
	Title	THREE COMPONENT CHIMERIC ANTISENSE OLIGONUCLEOTIDES

Address to:
Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This transmittal is in response to a telephone conversation between Carol Barnes of the U.S. Patent and Trademark Office and the undersigned regarding non-receipt of the Notice to File Missing Parts in the above identified patent application. The Notice to File Missing Parts was never received by our firm. To support this, enclosed please find the following documents:

1. a copy of a status inquiry filed August 9, 1999; and
2. a copy of our internal mail logs for January 21, 1999 through February 4, 1999.

Please note that the documents received on February 4, 1999 from Pennie & Edmonds only included the physical file; the Missing Parts was not included therein.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 10/21/99

By: *Dianna L. DeVore*
Dianna L. DeVore
Registration No. 42,434

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ENCLOSURE OLIG-0010CON transmittal to pro-ovp1